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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/224,211	12/30/1998	JACK WASSOM	06975/033001	3985
26171 7590 05/03/2007 FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER HUYNH, BA	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 05/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/224,211	Applicant(s) WASSOM ET AL.	
	Examiner Ba Huynh	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 79-89 and 107 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 79-89 and 107 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Supplemental Amendment

The supplemental replies filed on 4/26/07 was not entered because the supplemental replies are not entered as a matter of right except as provided in 37 CFR 1.111(a)(2)(ii). The supplemental replies are not limited to any of the following:

- Cancellation of a claim, but introducing a new set of claims for consideration,
- Adoption of any of examiner's suggestion,
- Placing the application in condition for allowance,
- Reply to an Office requirement made after the first reply was filed,
- Correction of informality,
- Simplification of issue for appeal.

In addition, the supplemental amendment was filed on a last day of the biweek, interferes with the examiner working on preparing the final office action.

Accordingly, the supplemental amendment will not be entered for the reason set forth above. A courtesy calls to Mr. Babak Akhlaghi on 4/27/07 to inform the non-entry of the amendment but did not result in successful contact.

NOTE: In the personal interview on 4/19/07 the applicant expressed his desire to file a supplemental reply to further clarify his arguments. The applicant's wish was accepted by the examiner as a matter of courtesy. Instead of filing the supplemental argument, the applicant however filed a supplemental amendment to present a new set of claims. The filing of the new

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set of claims is not the issue that had been agreed upon. Filing of the new claims at the last day interferes with the examiner's work in preparing the next office action.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 79, 81, 82, 84, 86-89, 107 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,480,852 (Himmel et al).

- As for claims 79, 107: Himmel et al (hereinafter Himmel) teach a computer implemented method and corresponding system for tailoring a user interface favorites (i.e., bookmarks, 5:35-37) menu for a user, comprising the steps/means for providing a first favorites menu related to first content and configured to enable access to the first content by users having a first demographic characteristic (e.g., content rated for children), providing a second favorites menu related to second content different from the first content and configured to enable access to the second content by users having a second demographic characteristic different from the first demographic characteristic (e.g., content rated for adult, 7:27-8:17), receiving an online identifier for a user (9:39-43); accessing a demographic characteristic associated with the user

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in a database based on the online identifier for the user (9:30-43), based on the demographic associated with the user automatically selecting a selected favorites menu from among a plurality of favorites menu that include the first and second favorites menu (7:33-47, 9:43-49, fig. 5), automatically making the selected favorites menu perceivable to the user, the selected favorites menu containing a plurality of links, each link selectable to access a particular content item (1:66-2:2, 6:6-8, 9:50-55, 10:17-21, fig. 6), and enabling the user to manually add/remove links to/from the plurality of links in the selected favorites menu for that user (1:66-2:7, 6:33-53), where subsequent perception of the selected favorites menus reveals a menu of favorites that includes added links and excludes removed links.

- As for claim 81: The menus are links to contents from various remote sources (fig. 6).
- As for claim 82: The remote sources include a network service provider (e.g., investor.com, medical.com, IBM. Figure 6).
- As for claim 84: The content includes Internet content (fig. 6).
- As for claims 86-88: The demographic characteristic comprises adult and child maturity level of the user (7:26-47).
- As for claim 89: The user favorite menu is automatically generated and presented to the user (fig. 5).

Claim Rejections - 35 USC § 103

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 80, 83, 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,480,852 (Himmel et al).

- As for claim 80: The content of bookmarks drop-down menu associated with a first user profile is different to the bookmarks drop-down menu associated with a second user profile (Restricted menu items are not displayed or greyed-out). Himmel is not clear regarding the bookmark menu is a pulldown menu. However, Official notice is taken that implementation of Bookmark pulldown menu is well known in the art (see previous rejection of claim 80). It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known implementation of Bookmark pulldown menu to Himmel. Motivation of the combining is for screen estate management.

- As for claim 83: Himmel fails to clearly teach that the content includes e-mail. However Official notice is taken that implementation of bookmarking Email is well known in the art (see US 6,487,557, fig 6, and US 2002/0107946, par 0004). It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well-known implementation of bookmarking Email to Himmel. Motivation of the implementation is for providing a shortcut to the bookmarked Email.

- As for claim 85: Himmel fails to clearly teach that the content includes chat session. However Official notice is taken that implementation of bookmarking Email is well known in the art (see US 6,832,350, fig 14). It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well-known implementation of bookmarking chat session to Himmel. Motivation of the implementation is for providing a shortcut to the bookmarked chat session.

Response to Arguments

Applicant's arguments filed on 2/9/07 have been fully considered but they are not persuasive.

REMARK:

In response to the argument that Himmel does not teach automatic selecting a selected favorites menu from among a plurality of favorites menus that include the first and second favorites menu, the limitation if disclosed by Himmel in col. 9, lines 17-55 and in figures 5 and 6, wherein bookmark items associated with proper rating is automatically displayed to the proper users.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

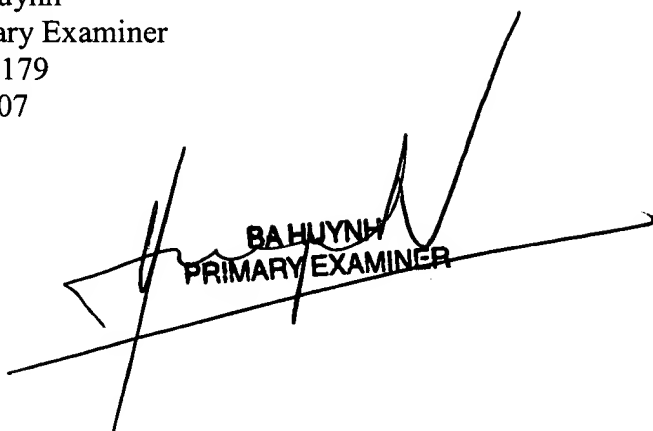
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Ba Huynh
Primary Examiner
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4/27/07


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